

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

Charlotte Edwards, #51390-039,

Petitioner, Case No. 18-13778

v.

Judith E. Levy
United States District Judge

Joe Coakley,

Mag. Judge Mona K. Majzoub
Respondent.

/

ORDER TRANSFERRING CASE

Petitioner Charlotte Edwards filed a petition for the writ of habeas corpus under 28 U.S.C. § 2241 on November 14, 2018. (See Dkt. 1.) Petitioner is confined at the Federal Correctional Institution Hazelton in Bruceton Mills, West Virginia. In 2016, petitioner pleaded guilty to carjacking and making a false statement to a federal agent and was sentenced to concurrent terms of sixty-three months and sixty months imprisonment. *United States v. Edwards*, No. 2:15-cr-20564 (E.D. Mich. Sept. 14, 2016). Petitioner requests a twelve-month placement in a residential reentry center under 18 U.S.C. § 3624(c).

A habeas petition must be filed where a district court has personal jurisdiction over the petitioner's custodian. *Roman v. Ashcroft*, 340 F.3d 314, 319 (6th Cir. 2003) (quoting *Braden v. 30th Judicial Circuit Court*, 410 U.S. 484, 494–95 (1973)). Although petitioner pleaded and was sentenced in this district, petitioner is imprisoned elsewhere. Therefore, the Court lacks personal jurisdiction over her custodian and cannot consider her petition.

Where a district court lacks jurisdiction, it should transfer the habeas petition to the federal district court with jurisdiction over petitioner's custodian. *Id.* at 328–29 (citing 28 U.S.C. § 1631). Here, petitioner is imprisoned in Preston County, which is within the Northern District of West Virginia. 28 U.S.C. § 129(a). Accordingly, the Court ORDERS that this case be transferred to the United States District Court for the Northern District of West Virginia. The Court makes no determination as to the merits of the petition.

IT IS SO ORDERED.

Dated: December 18, 2018
Ann Arbor, Michigan

s/Judith E. Levy
JUDITH E. LEVY
United States District Judge

CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing document was served upon counsel of record and any unrepresented parties via the Court's ECF System to their respective email or First Class U.S. mail addresses disclosed on the Notice of Electronic Filing on December 18, 2018.

s/Shawna Burns
SHAWNA BURNS
Case Manager